

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

Date: 9/13/2012

Case Number 2:10-md-02187

Case Style: In Re: C. R. Bard, Inc. vs.

Type of hearing Status Conference

Before the honorable: 2513-Goodwin

Court Reporter Lisa Cook

Courtroom Deputy Robin Clark

Attorney(s) for the Plaintiff or Government Henry Garrard, Fred Thompson, Bryan Aylstock, Carl Frankovitch

Attorney(s) for the Defendant(s) Robert Adams, Bryan Pratt and Elizabeth Taylor

Law Clerk Kate Fife

Probation Officer

Trial Time

Non-Trial Time

Pretrial conference (including settlement and telephone conferences).

Court Time

1:05 pm to 3:10 pm

Total Court Time: 2 Hours 5 Minutes Non-Trial Time/Uncontested Time

Courtroom Notes

Scheduled start time 1:00 p.m.

Actual start time 1:05 p.m.

SCIENCE DAY by Boston Scientific

Chief Judge Goodwin and Magistrate Judge Stanley presiding

2:10-md-2187 In Re: C. R. Bard, Inc., Pelvic Repair Systems Products Liability Litigation

2:12-md-2325 In Re: American Medical Systems, Inc., Pelvic Repair System Product Liability Litigation

2:12-md-2326 In Re: Boston Scientific Corp. Pelvic Repair System Products Liability Litigation

2:12-md-2327 In Re: Ethicon, Inc. Pelvic Repair Systems Products Liability Litigation

Counsel for parties present

Coordinating Co-lead counsel for Plaintiffs - Bryan Aylstock, Henry Garrard, Fred Thompson

Co-lead counsel for Boston Scientific MDL 2326 - Clayton Clark and Aimee Wagstaff

Co-lead counsel for American Medical Systems MDL 2325 - Amy Eskin and Fidelma Fitzpatrick

Co-lead counsel for Ethicon MDL 2327 - Renee Baggatt and Tom Cartmell

Plaintiffs executive committee: Bryan Aylstock, Henry Garrard, Fred Thompson, Tom Cartmell, Clayton Clark, Amy Eskin, Derek Potts and Aimee Wagstaff.

Plaintiffs Co-liaison counsel: Harry Bell, Paul Farrell and Carl Frankovitch

Lead counsel for American Medical Systems MDL 2325 - Barbara Binis

Lead counsel for Boston Scientific MDL 2326 - Robert Adams

Lead counsel for Ethicon MDL 2327 - Christy Jones

Defendants Liaison counsel: Michael Bonasso, David Thomas and Michael Farrell. Mark Williams defendants liaison counsel in the Bard MDL.

Additional counsel present

Phil Combs, Defts counsel

District Judge Daybook Entry

William F. Bottoms, Defts counsel
Erik W. Legg, Defts counsel
Tracy Weiss, AMS
Ben Anderson, Defts counsel
Bryan Pratt, Counsel for Boston Scientific Corp
Debbie Moeller, Counsel for Sofradim
Richard North, Counsel for Bard/Sofradim
Melissa Foster Bird, Counsel for Bard/Sofradim
Donna Brown Jacobs, Counsel for Ethicon/J&J
Douglas B. King, Pltfs counsel
Matt Keenan, Boston Scientific
Martin Gump, PSL
Elizabeth Taylor, Boston Scientific
Frederick Ferrard, Hernia mesh S & L
J. R. Rogers, Pltfs
Regina Johnson, Pltfs
Elise Alpert, Pltfs
Mike Farrell, AMS
Shelly Hudson, Pltfs
Will Moody, Pltfs
Justin C. Wilson, TEI
Melanie Muthlstock, Pltfs
DeAnn Bomar, Defts
Tom Cartmell, Pltfs
John Kingston for Henry Valenzuela, Pltfs
Andrew Cross, Pltfs
PJ Cosgrove, Proxy
Brad Stanley, Pltfs
Eric Hermanson, Proxy

Boston Scientific Science Day Presentation.
Presentation by Robert Adams, counsel for Boston Scientific
Presentation by Clayton Clark and Shelly Hudson, counsel for Pltfs
Response to Pltfs presentation by Robert Adams, counsel for Boston Scientific
Counsel for Ethicon declines to respond at this time.
Response to Pltfs presentation by Tracy Weiss, counsel for American Medical Systems

STATUS CONFERENCE

General MDL Issues
Status of ESI protocols
Status of Direct Filing Orders; a new order shall be entered addressing the new amended short form complaint
Issues relating to parties and Short Form Complaint amendments
Discussion of new defendants - Pltfs motions are due Friday, 21, 2012. Response by Defts due Friday, September 28, 2012.
Plaintiff Profile Sheets
Filing issues
Waiver of Service

Agenda Issues for MDL 2325 American Medical Systems, Inc.
Production of foreign documents
Deposition protocol
Motion to Dismiss; brief submitted today by Pltfs; reply within 7 days

Agenda Issues for MDL 2326 Boston Scientific Corp
Addition of certain necessary defendants as a result of 30(b)(6) deposition discovery
Deposition protocol

Agenda Issues for MDL 2327 Ethicon, Inc.
30(b)(6) depositions

District Judge Daybook Entry

Multiparty plaintiff complaints
Deposition protocol

Agenda Issues for MDL 2187 C. R. Bard, Inc.
Modification of Bard Direct Filing Order
Progress of Group 1 Trial (March 5, 2013)
Group 2 Case Selection
Multiparty plaintiff complaints

Status of State Court Cases
Update provided
Future Status Conferences
November 1, 2012 @ 1:00 p.m.
December 6, 2012 @ 1:00 p.m.
January 10, 2013 @ 1:00 p.m.
February 7, 2013 @ 1:00 p.m.
End time 3:10 p.m.